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SUBJECT: PROPOSED LAW GIVES GHANAISANS OVERSEAS VOTING RIGHTS

11. (U) Summary: The ruling NPP party has proposed a law to enable Ghanaian citizens abroad to vote in elections. The opposition NDC party opposes the draft bill, fears the NPP wants to push it through, and says it will boycott the 2008 election if the bill is passed. The debate on the bill died down since parliament went on recess. However, the issue will likely rise again when parliament reconvenes in October and it threatens to further polarize Ghanaian politics. End summary.

12. (U) On May 20, the ruling New Patriotic Party submitted a draft Representation of the People (Amendment) bill on the floor of parliament. The bill proposes to amend a 1992 law to enable Ghanaian citizens resident abroad to vote in elections. The proposed law states that the Electoral Commission may appoint the Head of a Ghana Mission or Embassy abroad or any other designed person or institution as a registration officer for an election

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Arguments in Favor  
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13. (U) Proponents of the bill argue that, while the 1992 constitution gives every citizen of voting age the right to vote, since independence Ghanians resident abroad have been denied this right. The 1992 Representation of the People law gives the right to vote to any Ghanaian employed in a post outside Ghana in the service of the government, the United Nations, or any other international organization. Proponents further argue that the 2000 Citizenship Act makes it much easier to determine Ghanaian citizenship.

14. (U) NPP Majority Leader and Minister of Parliament Felix Awuso Adjepong told PolChief that the NPP has no intention of ramming through this bill in this parliamentary session. He hoped the current debate would allow the bill to be seriously considered in the next parliamentary session starting in October. Overseas Ghanaians have complained that, while they contribute significantly to Ghana in terms of remittances, they are not able to vote. He accused the NDC of politicizing the bill, saying that Ghanaians had raised objections to many legislative initiatives in the past (such as the creation of national health insurance or a national identification card) and had worked through objections. He expected the same process would enable eventual passage of a People's Representation Bill.

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The Opposition's Views  
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15. (SBU) On July 14, the main opposition National Democratic Convention (NDC) party's presidential candidate in 2004 John Atta Mills and several other NDC leaders called on the Ambassador to convey their concerns about this bill. While he agreed in principle that Ghanaians everywhere should be entitled to vote, Mills believed there were not currently sufficient safeguards against possible fraud and abuse. The bill envisions overseas balloting overseen by Ghanaian Foreign Service Officers and Ambassadors, many of whom are partial to the ruling party, according to Mills. Mills said the draft law applies to "Ghanaians resident abroad," but it is not clear how this will be defined (for example, does it apply to dual nationals, illegal aliens, and the estimated two million Ghanaian citizens living in Togo, Cote d'Ivoire, and Nigeria?) According to the NDC, the law does not establish a credible system to review or challenge votes. It is not clear how the GOG will establish or fund voting facilities in every country in the world, especially since a large percentage of national elections is donor funded, Mills said.

16. (SBU) The NDC is convinced that the NPP plans to use its parliamentary majority to force this bill through, with or without NDC support. Mills told the Ambassador that if this happens, the NDC will boycott the next national election. (The NDC boycotted the regional dialogues which the NPP organized on this issue). Instead, the NDC argues for a postponement of the bill during a period of national consultations which would include the Electoral Commission. The Ambassador agreed that it made sense to carefully debate this bill, including consulting with the Electoral

Commission.

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Comment  
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17. (SBU) The controversy around this bill dominated media coverage and political debate for the past month. The bill was not forced through the last parliamentary session, as some in the NDC feared, but it will likely be revisited when parliament reconvenes in October. Voting for overseas Ghanaians is a long-standing issue which gets debated from time to time (including prior to the 2004 election) and until now has receded amidst controversy. Its revival as an issue now may be a diversionary tactic by the NPP to take attention away from the presidential corruption allegations which earlier made the headlines. However, it may also be a genuine attempt by the NPP to capture overseas votes, many of which they may calculate will be NPP-supporters. We will continue to track the issue and encourage both parties to work cooperatively on it.

YATES